

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

DONNA A DEVAZIER,
Executrix of the Estate of Thomas B. Devazier, deceased

PLAINTIFF

vs.

CASE NO. 2:03cv00191 JMM

LOUIS D. HAMRIC, et al

DEFENDANTS

ORDER

On October 19, 2006, a stipulation of dismissal with prejudice was approved by the Court, dismissing Defendants Ameriprise Financial Services, Inc. and Jason Collard.

This case was removed from Circuit Court of St. Francis County on December 16, 2003. After reviewing the file, it does not appear that the remaining Defendant, Louis D. Hamric, was served.

Pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, *If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period.*

Plaintiff is directed to provide proof of service as to Defendant Louis D. Hamric within 20 days after entry of this Order. Failure to provide proof may result in this Defendant being dismissed without prejudice and therefore dismissing the case in full. If Plaintiff does not intend to pursue action against Defendant Hamric, she may file a pleading stating so.

IT IS SO ORDERED this 31st day of October, 2006.


UNITED STATES DISTRICT JUDGE